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US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.  
21923

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371

US. Application No. (if known)  
**09/857311**

INTERNATIONAL APP. NO.  
PCT/AT99/00297

INTERNATIONAL FILING DATE  
2 December 1999

PRIORITY DATE CLAIMED  
2 December 1998

TITLE OF INVENTION  
DEVICE FOR ENABLING AN OBSERVER TO VERIFY THE ANGLE-DEPENDENT ...

APPLICANT(S) FOR DO/EO/US  
Heinz GRÖSSWANG et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2)).
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☒ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3).
9. ☐ An oath or declaration of the inventor(s) (35 USC 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.

Drawing (5 sheets)

References

PTO-1449

US Application no (if known)

09/85701

International Application no.

PCT/AT99/00297

Attorney's Docket No.

21923

## 17. The following fees are submitted:

## Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search report has been prepared by the EPO or JP ..... \$860.00

Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) ..... \$690.00

No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)

but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$710.00

Neither int'l prel. exam fee (37 CFR 1.482) nor

int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO ..... \$1000.00

Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)

and all claims satisfied provisions of PCT Art. 33(2-4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT

## CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NO. FILED	NO. EXTRA	RATE		
Total claims	31	11	\$18	\$198	
Ind. claims	0	0	\$80	\$0	
MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.)			270		
TOTAL OF ABOVE CALCULATIONS				\$1,198	
Reduction of 1/4 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)				\$0	
SUBTOTAL				\$1,198	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE				\$1,198	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)					
TOTAL FEES ENCLOSED					
				Amt to be refunded	
				Amt to be charged	

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed
- b. ☐ Please charge my deposit account 18-2025 \$ to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ Please charge the amount due to the credit card identified in the attached PTO-2038.
- d. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed
- e. A PTO-2038 in the amount of \$ to cover recordal of the Assignment is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

**The Firm of Karl F. Ross P.C.**  
**5676 Riverdale Ave. Box 900**  
**Riverdale (Bronx), NY 10471**

Herbert Dubno, Reg. No. 19,752

State of New York       )  
                              )  
County of the Bronx     )       ss:


## TRANSLATOR'S AFFIDAVIT

I, Herbert Dubno, a citizen of the United States of America, residing in Riverdale (Bronx), New York, depose and state that:

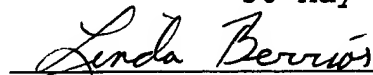
I am familiar with the English and German languages;

I have read a copy of the German-language documents attached hereto, namely PCT Application PCT/AT99/000297 published as WO 00/33054 and the amended claims; and

The hereto-attached English-language text is an accurate translation of the above-identified German-language documents.

  
Herbert Dubno

Sworn to and subscribed before me  
30 May 2001

  
Notary Public

LINDA BERRIOS  
Notary Public State of New York  
No. 01BE5016825  
Qualified in Bronx County  
Commission expires August 23, 2001

21923



IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Heinz GRÖSSWANG et al**  
Patent App. **Not known (US Nat'l phase 3)**  
Filed **Concurrently herewith**  
For **DEVICE FOR ENABLING AN OBSERVER TO VERIFY THE ANGLE-DEPENDENT ...**

Hon. Commissioner of Patents  
Washington, DC 20231

06-01-01  
PTO 31 MAY  
CERTIFICATE OF EXPRESS MAIL  
FIRST CLASS MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail or as Express Mail if the number of the Express Mail mailing label is provided below in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **MAY 31 2001**

Express Mail Label Number **EL842184885**

Signature **Herbert Dubno**

**RECORD OF TRANSMITTAL--PCT APPLICATION**

<input checked="" type="checkbox"/>	PCT Transmittal	
<input checked="" type="checkbox"/>	PCT Application	
<input checked="" type="checkbox"/>	Translation	
<input checked="" type="checkbox"/>	Sheets of Drawing (5)	
<input type="checkbox"/>	PCT Declaration	
<input checked="" type="checkbox"/>	PCT Documents	
<input checked="" type="checkbox"/>	International Search Report	
<input checked="" type="checkbox"/>	Preliminary Amendment	
<input type="checkbox"/>	Assignment	
<input checked="" type="checkbox"/>	Reference(s) with PTO-1449	
<input checked="" type="checkbox"/>	PTO-2038 for Official Fees	
<input checked="" type="checkbox"/>	Basic Fee (Large Entity)	\$1000.00
<input type="checkbox"/>	Ind. claims in excess of 3	\$00.00
<input checked="" type="checkbox"/>	11 claims in excess of 20	\$198.00
	<b>Total</b>	<b>\$1198.00</b>

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

31 May 2001

5676 Riverdale Ave. Box 900  
Bronx, NY 10471-0900  
Tel: (718) 884-6600  
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Customer No. 535  
rg

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

Herbert Dubno, Reg. 19,752